

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DALER MUHITDINOV,

Defendant.

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8:11CR397

ORDER

This matter is before the court on the motion to continue by counsel for the government ([Filing No. 20](#)). Government's counsel seeks a continuance of the trial of this matter which is scheduled for February 6, 2012. Government counsel has represented to the court that Muhitdinov will submit an affidavit wherein he consents to the motion and acknowledges he understands the additional time may be excludable time for the purposes of the Speedy Trial Act. Government's counsel represents that Muhitdinov's counsel has no objection to the motion. Upon consideration, the motion will be granted.

IT IS ORDERED:

1. The motion to continue trial ([Filing No. 20](#)) is granted.
2. Trial of this matter is re-scheduled for **March 12, 2012**, before Judge Joseph F. Bataillon and a jury. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **February 3, 2012, and March 12, 2012**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that counsel require additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 3rd day of February, 2012.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge